

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RUSS J.C. ALMANZOR and
BILLIE ANN AGAR, husband and wife,

Plaintiffs,

v.

P.E. PRINTECH EQUIPMENT INC., a
foreign business entity; P.E. PRINTECH
EQUIPMENT (USA), INC., a Minnesota
corporation; BRAUSSE GROUP, a foreign
business entity; BRAUSSE GROUP
NORTHERN DIVISION, a foreign
business entity; BRAUSSE GROUP
EASTERN DIVISION, a foreign business
entity; and SHANGHAI ETERNAL
MACHINERY CO., LTD., a foreign
business entity,

Defendant.

NO. 2:17-cv-00318-MJP

**STIPULATED MOTION AND ORDER
TO EXTEND DISCOVERY DEADLINE**

**NOTE FOR MOTION CALENDAR:
March 9, 2018**

STIPULATED MOTION

Plaintiffs and Defendants P.E. Printech Equipment Inc. and P.E. Printech Equipment (USA), Inc. (collectively, “Stipulating Parties”), by and through their undersigned counsel, have conferred on the subject of this motion. Based upon these discussions, these parties jointly represent the following to the Court:

1 1. The Stipulating Parties have scheduled a full-day mediation with mediator John Cooper
2 to occur on March 23, 2018, and wish to avoid incurring the expense of depositions
3 prior to that current discovery cutoff of March 19, 2018, established in this Court's
4 Order Setting Trial Date and Related Dates (Dkt. #22). If the mediation does not result
5 in settlement, the parties wish to conduct additional depositions, to include the persons
6 identified below.

7 2. Third-party lay witnesses and some expert witnesses still remain to be deposed.

8 3. The following witnesses are currently scheduled to be deposed before the current
9 discovery cutoff, on the dates noted:

10 a. Non-party lay witness Danny Ngyon - March 9, 2018;

11 b. Non-party lay witness Greg Baker - March 14, 2018;

12 c. Non-party lay witness Dean Smith - March 14, 2018

13 4. The following witnesses are currently scheduled to be deposed after the current
14 discovery cutoff,

15 a. Defendants' liability expert Gerry Shaefer, P.E. – March 22, 2018;

16 b. Plaintiff's liability expert Ken Blundell, Ph.D. – April 9, 2018; and

17 c. Plaintiff's damages expert Merrill Cohen, M.C. – March 27, 2018.

18 Each of those three experts has submitted a report in accordance with Rule 26 of the
19 Federal Rules of Civil Procedure, so the sum and substance of their opinions are not
20 mysteries. Nevertheless, the parties wish to reserve their rights to conduct depositions.

21 5. If non-party witness Sam Rivera can be located, he may be deposed when he and
22 counsel are mutually available.

23 6. Counsel for the Stipulating Parties have worked cooperatively to schedule the
24

depositions of witnesses at times available to the witnesses and counsel in light of their other obligations. The witnesses scheduled to be deposed after the current discovery cutoff are either not available beforehand or the Stipulating Parties anticipate that delaying their depositions until after mediation may obviate the need to conduct them if the case settles.

7. No Stipulating Party objects to any of the foregoing depositions on the basis of Rule 30(a)(2)(A)(i) of the Federal Rules of Civil Procedure.

8. The Stipulating Parties anticipate that if this lawsuit does not settle at mediation, the foregoing depositions can be complete by April 9, 2018, without the need to continue the April 17, 2018 dispositive motions filing deadline, the July 16, 2018 trial date, or any other pretrial deadline.

9. Defendants named in the Complaint as Brausse Group, Brausse Group Northern Division, and Brausse Group Eastern Division are business names of Defendant P.E. Printech Equipment Inc.

10. Defendant named in the Complaint as Shanghai Eternal Machinery Co. Ltd. is a foreign corporation that has not been served with process.

Accordingly, the Stipulating Parties hereby STIPULATE to entry of the following proposed Order without further notice.

DATED: March 7, 2018

DATED: March 9, 2018

STRITMATTER KESSLER WHELAN
KOEHLER MOORE

FORSBERG & UMLAUF

s/ Brad J. Moore

s/ Kenneth M. Roessler

Brad J. Moore, WSBA No. 21802
brad@stritmatter.com

Kenneth M. Roessler, WSBA No. 31886
kroessler@forsberg-umlauf.com

s/ Daniel R. Laurence

s/ Martin J. Pujolar

1 Daniel R. Laurence, WSBA No. 19697
2 dan@stritmatter.com

3 Attorneys for Plaintiffs

Martin J. Pujolar, WSBA No. 36049
mpujolar@forsberg-umlauf.com

Attorneys for Defendants P.E. Printech
Equipment, Inc. and P.E. Printech Equipment
(USA), Inc.

5 **ORDER**

6 THIS MATTER came before this Court on the foregoing Stipulation. For good cause
7 shown, IT IS ORDERED that: The deadline to complete discovery under FRCP 26(b)(1) is
8 extended from March 19, 2018 to April 9, 2018.

9 DATED this _13th_ day of March, 2018.

11 

12 Marsha J. Pechman
13 United States District Judge

14 Presented by:

15 STRITMATTER KESSLER WHELAN
16 KOEHLER MOORE

17 s/ Brad J. Moore

Brad J. Moore, WSBA No. 21802
brad@stritmatter.com

18 s/ Daniel R. Laurence

19 Daniel R. Laurence, WSBA No. 19697
dan@stritmatter.com

20 Attorneys for Plaintiffs

FORSBERG & UMLAUF

21 s/ Kenneth M. Roessler

Kenneth M. Roessler, WSBA No. 31886
kroessler@forsberg-umlauf.com

22 s/ Martin J. Pujolar

Martin J. Pujolar, WSBA No. 36049
mpujolar@forsberg-umlauf.com

23 Attorneys for Defendants P.E. Printech
24 Equipment, Inc. and P.E. Printech Equipment
(USA), Inc.